

CUAUHTEMOC ORTEGA (Bar No. 257443)
Federal Public Defender
JULIA DEIXLER (Bar No. 301954)
(E-Mail: julia_deixler@fd.org)
ERIN M. MURPHY (Bar No. 285087)
(E-Mail: erin_murphy@fd.org.org)
Deputy Federal Public Defenders
321 East 2nd Street
Los Angeles, California 90012-4202
Telephone: (213) 894-2854
Facsimile: (213) 894-0081

Attorneys for Defendant
ROBERT RUNDO

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT RUNDO,

Defendant.

Case No. CR 18-759-CJC

**UNOPPOSED EX PARTE
APPLICATION TO FILE AN
OVERSIZED BRIEF**

1 Robert Rundo, by and through his attorney of record, Deputy Federal Public
2 Defenders Julia Deixler and Erin M. Murphy, hereby applies *ex parte* for an order
3 accepting an oversized brief in support of Mr. Rundo's Motion to Dismiss for Selective
4 Prosecution.

5 This application is based on the attached declaration of counsel, all files and
6 records in this case, and any further information as may be submitted to the Court.

7
8 Respectfully submitted,

9 CUAUHTEMOC ORTEGA
10 Federal Public Defender

11 DATED: January 15, 2024

By /s/ Erin M. Murphy

12 ERIN M. MURPHY
13 JULIA DEIXLER
14 Deputy Federal Public Defenders
15 Attorneys for ROBERT RUNDO
16
17
18
19
20
21
22
23
24
25
26
27
28

DECLARATION OF COUNSEL

I, Erin M. Murphy, declare:

1. I am an attorney with the Office of the Federal Public Defender for the Central District of California. I am licensed to practice law in the State of California and I am admitted to practice in this Court. I have been appointed to represent Robert Rundo in this matter.

2. I have concurrently lodged with this *ex parte* application Mr. Rundo's Motion to Dismiss for Selective Prosecution. The brief is approximately 34 pages, not including the table of contents, table of authorities, table of exhibits, and signature pages.

3. Given the complex nature of the case, including the volume of allegations in the First Superseding Indictment (*see* ECF No. 209), and the numerous legal and factual issues raised in the motion to dismiss, the defense could not write a comprehensive brief of less length.

3. Government counsel does not object to this application.

4. For these reasons, I am requesting that the Court grant this *ex parte* application and accept the oversized brief and accompanying exhibits, so that Mr. Rundo will have the benefit of the Court's consideration of all of the issues raised in his motion in dismiss.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on January 15, 2024, at Los Angeles, California.

By /s/ Erin M. Murphy

ERIN M. MURPHY